THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION No.8742 of 1996

DATE: 5-9-2005

Between:

A. Ravi … Petitioner

And

Industrial Tribunal cum Labour Court, Godavarikhani

Represented by its Presiding Officer … Respondent

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION No.8742 of 1996

ORAL ORDER:

The order of the Industrial Tribunal cum Labour Court, Godavarikhani in I.D.No.4 of 1992 dated 21-10-1994 wherein the I.D. was dismissed for default and order in I.A.128/96 in I.D.No.4 of 1992 seeking to set aside the earlier order dated 21-10-1994 was dismissed by the Tribunal by its order dated 12-3-1996 on the ground that delay in filing the application was not explained properly, is challenged in the present writ petition.

The dispute before the Industrial Tribunal was on an application filed under Section 2A(2) of the Industrial Disputes Act, 1947 questioning the action of the APSRTC in terminating the petitioner's services. In the writ petition before this Court, A.P.S.R.T.C. is not arrayed as a respondent and the Industrial Tribunal cum Labour Court, Godavarikhani represented by its Presiding Officer is the sole respondent.

It is well settled by a catena of judgment in **Savithri Devi v. District Judge, Gorakhpur; Fakerrappa v. Karnataka Cement Pipe Factory; Syed Yakoob v. K.S.Radha Krishna; Om Sai Builders and Constructions v. III Senior Civil Judge, City Civil Court, Secunderabad; Depot Manager, APSRTC v. Industrial Tribunal; Jasbir Kaur Sehgal v. District Judge, Dehradun** that statutory Tribunals are not necessary parties to proceedings in Court. Since the APSRTC, which is the sole contesting respondent before the Tribunal, has not been arrayed as a respondent in this writ petition, the cause in this writ petition cannot be adjudicated.

The writ petition is dismissed for non-joinder of necessary parties. No costs.

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5-9-2005

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